

and Regulation 61-62.5, Standard No. 7, section I, part O and section IV, part H, paragraph 4 covering PSD. These regulations were effective June 26, 1992, and submitted July 23, 1992.

(ii) Other material.

(A) July 23, 1992, letter from the South Carolina Department of Health and Environmental Control to Region IV EPA.

(B) [Reserved]

(38) The South Carolina Department of Health and Environmental Control has submitted revisions to the South Carolina Air Quality Implementation Plan on November 12, 1993. These revisions address the requirements of section 507 of title V of the Clean Air Act and establish the Small Business Stationary Source Technical and Environmental Program.

(i) Incorporation by reference.

(A) The submittal of the state of South Carolina's Small Business Assistance Program which was adopted on September 9, 1993.

(ii) Additional material. None.

(39) The PSD regulation revisions to the South Carolina State Implementation Plan which were submitted on March 3, 1995.

(i) Incorporation by reference.

(A) Regulations 61-62.5, Standard No. 7 Prevention of Significant Deterioration; I.C(4), I.N(1)(c), I.O(2)(b), I.O(3), II.A, II.D, III.D(10)(b), III.H(1), III.I(1) through III.I(2)ii, IV.D (1) & (2), and IV.H(4) effective on November 25, 1994.

(ii) Other material. none

(40) The minor source operating permit program for South Carolina, submitted by the Department of Health and Environmental Control on July 12, 1995, and as part of the South Carolina SIP.

(i) Incorporation by reference.

(A) Regulation 61-62.1, Section I.3, 13, 19, 50, 72, and 73, Section II.F.2, Section II.F.2.e, Section II.G, and Section II.H of the South Carolina SIP which became effective on June 23, 1995.

(ii) Other material. None.

[37 FR 10892, May 31, 1972. Redesignated and amended at 62 FR 35444, July 1, 1997]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2134, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 52.2140 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?**

(a)(1) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR NO<sub>x</sub> Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of South Carolina's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO<sub>x</sub> Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO<sub>x</sub> Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR NO<sub>x</sub> Ozone Season Trading Program in subpart BBBB of part 97 of this chapter must comply

with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of South Carolina's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO<sub>x</sub> Ozone Season allowances under subpart BBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO<sub>x</sub> Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48373, Aug. 8, 2011]

**§ 52.2141 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?**

(a) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR SO<sub>2</sub> Group 2 Trading Program in subpart DDDDD of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South

Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of South Carolina's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO<sub>2</sub> Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO<sub>2</sub> Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48373, Aug. 8, 2011]

**Subpart QQ—South Dakota**

**§ 52.2170 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for South Dakota under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to November 15, 2004 was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c) and